

C. [§1.22] SAMPLE SCRIPT

TIP: Jury Improvement Task Force member, the Hon. Jacqueline Connor of the Los Angeles Superior Court, has used the following instruction with some success in reducing hardship requests:

Jury duty is an honor and an obligation, but it is not an option. At the same time, all of us in the system are extremely sensitive to the competing demands on your time. Not a single one of you is here because you volunteered. We do, in fact, have citizens who volunteer, but the Constitution guarantees a random selection that precludes the gift that we most certainly wish we could accept. Your Constitution guarantees the right to a jury trial, and that right applies to every one of us, should we need to call upon the protection of the courts. The Legislature has established the standard of extreme hardship before a judge can legally excuse anyone from jury service. This applies to the Governor of the State of California as well as to the janitor who works down the street. Along this line, an employer's pay policy does not dictate to the court whether someone can serve or not serve. The hardship to your employer is not what the court is permitted to consider. Any hardship applies solely to you personally.

Your presence here is not taken lightly. Over the years, thousands of hours have been put into efforts to improve the experience; to reduce the delays; to streamline the procedures; to give priority to you, our visiting judges; and to ensure that we have done everything we can to resolve the matter before we call on you, as a last resort, to make the decision about what justice will look like in this trial. Is the system perfect? Well, not yet, but we have not stopped working on it.

Most judges will tell you candidly that this is the most uncomfortable part of their jobs—sifting through the excuses and making determinations about hardship. The good news is that although we can try to accommodate your schedules, and although we can try to postpone your service to a date that may be more convenient, everyone does equally share in this opportunity. It is truly a unique opportunity, and I have seen it change the lives of jurors. Those who serve tend to be our biggest supporters, and if you have not previously served, I welcome you to this experience. The parties in this case thank you. The People of the State thank you, and I thank you.